



ITW/ DAC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Joseph A. Zupanick et al. Art Unit : 3672
Serial No. : 10/003,917 Examiner : John J. Kreck
Filed : November 1, 2001 Conf. No. : 7751
Title : METHOD AND SYSTEM FOR SURFACE PRODUCTION OF GAS FROM A
SUBTERRANEAN ZONE

MAIL STOP PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO EXPUNGE MATERIALS CONTAINING
PROPRIETARY INFORMATION UNDER MPEP § 724

Petitioners are submitting herewith a request for consideration of materials containing proprietary information pursuant to MPEP § 724. If after review of these materials by the Examiner, they are found not to be material to patentability, Petitioners hereby petition to expunge the materials pursuant to MPEP § 724.05.

The materials disclosed in the Information Disclosure Statement (IDS) filed concurrently herewith includes proprietary information. The proprietary information is dispersed in these materials. The proprietary information has not otherwise been made public. Petitioners commit to retain the proprietary material for the period of any patent with regard to which the proprietary information is being submitted. This Petition to Expunge is being submitted on behalf of the party in interest who originally submitted the information.

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DELIVERY BY HAND to the U.S. Patent and Trademark Office,
Customer Service Window, Randolph Building, 401 Dulany Street,
Alexandria, VA 22314.

November 24, 2009
Date of Delivery

Applicant : Joseph A. Zupanick et al.
Serial No. : 10/003,917
Filed : November 1, 2001
Page : 2 of 2

Attorney's Docket No.: 17601-0019001 / BB
067083.0161

A check is enclosed in the amount of \$200 for the petition fee required under 37 CFR § 1.17(g). Please apply any additional charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: November 23, 2009

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SUBMISSION OF PROPRIETARY INFORMATION UNDER MPEP § 724

Applicant hereby requests consideration of materials containing proprietary information in accordance with MPEP § 724.

The information disclosed herein includes materials provided by Cliffs Natural Resources on or about February 2009 that may relate to some of the Inventor's past activities. Some of the documents included with these materials have dates that may precede the November 20, 1998 filing date of U.S. Application Serial No. 09/197,687 (which issued as U.S. Patent No. 6,280,000 on August 28, 2001) to which the present Application claims priority. The proprietary information is dispersed in the provided materials.

To the extent the Examiner identifies or otherwise believes there is any additional information that may be material to patentability of one or more of the claims of the present application or if the Examiner desires additional clarification with respect to these materials, the Examiner is encouraged to contact the undersigned to request such information. Further, Applicant appreciates the volume of materials submitted herewith, and, as such, Applicant would appreciate an in-person meeting between the Examiner and Applicant's representatives in order to facilitate the Examiner's review of the disclosed information and to answer any questions the Examiner may have.

Note, by referring to the information submitted herewith as "proprietary" information in accordance with MPEP § 724, Applicant is not admitting that the information does not also qualify as a trade secret.

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This submission under MPEP § 724 is being made before the receipt of a first Office Action on the merits. It is being filed concurrently with a Petition to Expunge under 37 CFR § 1.59(b). A check in the amount of \$200.00 for the Petition to Expunge is included. Please apply any additional charges or credits to Deposit Account No. 06 1050, referencing the above attorney docket number.

Respectfully submitted,

Date: November 23, 2009

/Sean M. Dean/

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